

REMARKS

Claims 1-7, 9-25 and 27-54 are pending in the application after the entry of the herein amendment. Claims 8 and 26 have been cancelled. Claims 1, 3, 6, 7, 9, 13, 24, 27, 30, 34, 35, 36, 37, 38, 39, and 40 have been amended in accordance with the requirements of 37 C.F.R. 1.173(b)(2). A statement of the status of all claims and support for claim changes in accord with 37 C.F.R.1.173(c) is provided in Appendix A.

The specification amendments serve to replace paragraphs in the specification previously corrected by a Certificate of Correction, issued February 4, 2003. A copy of the Certificate of Correction is included herewith in Appendix B in accordance with 37 CFR 1.173(a)(1).

Claim 1 has been amended to remove (C₁-C₆)alkyl from the Markush group defining X. Claim 1 has also been amended to correct a typographical error, wherein the variable "X" was omitted from line 31. Claim 3 has been amended to correct the misspelling of the word "benzothiazolyl." Claims 6, 27, 30 and 40 have been amended to remove unsubstituted phenyl and certain substituted phenyl from the Markush group defining X. Claim 7 has been amended to remove unsubstituted phenyl from the Markush group defining Z. Claim 9 has been amended to remove hydrogen from the Markush group defining substituents R₁ and R₂. Claim 13 has been amended to remove unsubstituted phenyl and phenyl mono-substituted with halogen from the Markush group defining Z. Claim 24 has been amended to remove the radical of formula II and C₁-C₆ alkyl from the Markush group defining X. Claims 34 and 37 have been amended to remove dependency to amended claim 1 and to include all the limitations recited in patent claim 1 prior to this amendment. Claims 35 and 38 have been amended to remove dependency to amended claim 6 and to include all the limitations recited in patent claim 6 prior to this amendment. Claims 36 and 39 have been amended to remove dependency to amended claim 13 and to include all the limitations recited in patent claim 13 prior to this amendment. No new matter has been added.

Information Disclosure Statement

An information disclosure statement is submitted herewith.

Respectfully submitted,

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Appendix A. Status of All Claims Provided in Accordance With 37 C.F.R.1.173(c)

Claim #	Status	Support
1	Pending	The amendment of claim 1 is supported by claim 1 of the original issued patent, and in the specification in column 3, line 19, wherein X is selected from a Markush group that includes trihaloalkyl.
2	Pending	
3	Pending	The amendment of the spelling of "benzothiazolyl" is supported in the specification at column 4, line 19.
4	Pending	
5	Pending	
6	Pending	The amendment of claim 6 is supported by claim 6 of the original issued patent, and in the specification in column 3, line 60 to column 4, line 12. The aryl groups which comprise Z expressly include phenyl and heteroaryl. Also, a selection of preferred substituents is provided.
7	Pending	
8	Cancelled	
9	Pending	The amendment of claim 9 is supported by claim 9 of the original issued patent, and in the specification in column 4, line 26-44, which provides for the 2,4-substitution pattern and a preferred selection of substituents. Dependency of claim 9 has been amended from cancelled claim 8 to amended claim 6.
10	Pending	
11	Pending	
12	Pending	

Appendix A. (continued)

Claim #	Status	Support
13	Pending	The amendment of claim 13 is supported by claim 13 of the original issued patent, and the specification at column 3, line 19, wherein X is selected from a Markush group that includes trihaloalkyl; and in column 3, line 60 to column 4, line 12, which provides for a preferred selection of substituents and a preferred selection of heteroaryl rings.
14	Pending	
15	Pending	
16	Pending	
17	Pending	
18	Pending	
19	Pending	
20	Pending	
21	Pending	
22	Pending	
23	Pending	
24	Pending	The amendment of claim 24 is supported by claim 24 of the original issued patent, and in the specification at column 3, line 19, wherein X is selected from a Markush group that includes trihaloalkyl.
25	Pending	
26	Cancelled	
27	Pending	The amendment of claim 27 is supported by claim 27 of the original issued patent, and in the specification at column 3, line 19, wherein X is selected from a Markush group that includes trihaloalkyl. Further support is found at column 3, line 60 to column 4, line 12, which provides a selection of heteroaryl rings and substituents comprising the group Z.

Appendix A. (continued)

Claim #	Status	Support
28	Pending	
29	Pending	
30	Pending	The amendment of claim 30 is supported by claim 30 of the original issued patent, and in the specification at column 3, line 60 to column 4, line 12. The disclosure provides that the aryl groups which comprise Z expressly include phenyl and heteroaryl. The indicated disclosure also provides a selection of preferred substituents for Z.
31	Pending	
32	Pending	
33	Pending	
34	Pending	The amendment of claim 34 is supported by claim 34 of the original issued patent. The amendment does not alter the scope of claim 34. Rather the amendment rewrites claim 34 as an independent claim which includes all the features of patent claim 1 (from which claim 34 formerly depended) prior to the entry of the present amendment.
35	Pending	The amendment of claim 35 is supported by claim 35 of the original issued patent. The amendment does not alter the scope of claim 35. Rather the amendment rewrites claim 35 as an independent claim which includes all the features of patent claim 6 (from which claim 35 formerly depended) prior to the entry of the present amendment.
36	Pending	The amendment of claim 36 is supported by claim 36 of the original issued patent. The amendment does not alter the scope of claim 36. Rather the amendment rewrites claim 36 as an independent claim which includes all the features of patent claim 13 (from which claim 36 formerly depended) prior to the entry of the present amendment.

Appendix A. (continued)

Claim #	Status	Support
37	Pending	The amendment of claim 37 is supported by claim 37 of the original issued patent. The amendment does not alter the scope of claim 37. Rather the amendment rewrites claim 37 as an independent claim which includes all the features of patent claim 1 (from which claim 37 formerly depended) prior to the entry of the present amendment.
38	Pending	The amendment of claim 38 is supported by claim 38 of the original issued patent. The amendment does not alter the scope of claim 38. Rather the amendment rewrites claim 38 as an independent claim which includes all the features of patent claim 6 (from which claim 38 formerly depended) prior to the entry of the present amendment.
39	Pending	The amendment of claim 39 is supported by claim 39 of the original issued patent. The amendment does not alter the scope of claim 39. Rather the amendment rewrites claim 39 as an independent claim which includes all the features of patent claim 13 (from which claim 39 formerly depended) prior to the entry of the present amendment.
40	Pending	The amendment of claim 40 is supported by claim 40 of the original issued patent, and in the specification at column 3, line 60 to column 4, line 12. The disclosure provides a selection of heteroaryl rings and substituents thereon comprising the group Z.
41	Pending	
42	Pending	
43	Pending	
44	Pending	
45	Pending	
46	Pending	
47	Pending	
New Claims		
48	New	Supported by the subject matter of patent claim 1 prior to this amendment and by the specification, column 3, line 18-20.
49	New	Supported by the subject matter of patent claim 24 prior to this amendment and by the specification, column 7, line 5-18.

Appendix A. (continued)

Claim #	Status	Support
50	New	Supported by the subject matter of patent claim 30 prior to this amendment and by the specification, column 3, line 18-20 and column 4, line 58-59.
51	New	Supported by the synthesis process in the specification at Column 7, line 19-55.
52	New	Supported by the synthesis process in the specification at Column 7, line 19-55.
53	New	Supported by the synthesis process in the specification at Column 7, line 56-67.
54	New	Supported by the synthesis process in the specification at Column 7, line 56-67.